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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

JEROME L. WEATHINGTON,
Plaintiff

CIVIL ACTION
SECTION "P"
1:10-CV-00359

VERSUS

UNITED STATES, et al.,
Defendants

JUDGE DEE D. DRELL
MAGISTRATE JUDGE JAMES D. KIRK

J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, and after independent (de novo) review of the record including the objections filed herein, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that Weathington's complaint against Lt. Transou is DISMISSED WITHOUT PREJUDICE pursuant to Fed.R.Civ.P. 4(m).

IT IS FURTHER ORDERED that defendants' motion for summary judgment on the Bivens claims is GRANTED and that Weathington's Bivens claims against Warden Keffer, Valdez, Lonidier (now Brown), Trull, and Stevens are DENIED AND DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that the United States' motion for summary judgment is GRANTED and Weathington's request for punitive damages under the FTCA is DENIED AND DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that the United States' motion for summary judgment as to Weathington's FTCA claim for assault/battery is GRANTED and Weathington's FTCA claim for assault/battery is DENIED AND DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that the United States' motion for summary judgment as to Weathington's FTCA claim for failure to protect is DENIED.

THUS ORDERED AND SIGNED in Chambers at Alexandria, Louisiana, on this 30th day of MARCH, 2011.

A handwritten signature in black ink, appearing to read "Dee D. Drell", is written over a horizontal line.

DEE D. DRELL
UNITED STATES DISTRICT JUDGE